

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

**KATHERINE TOWNSEND
GRIFFIN, *et.al.*,**

Plaintiffs,

vs.

CASE NO: 1:17-CV-05221

**EDWARD CHRISTOPHER
SHEERAN, *et.al.*,**

**DECLARATION OF
PATRICK R. FRANK
IN OPPOSITION TO
DEFENDANTS' SECOND
MOTION *IN LIMINE***

Defendants.

_____ /

I, PATRICK R. FRANK, declare as follows:

1. I am a partner with the Law Firm of Frank & Rice, P.A., counsel(s) for the Plaintiffs in the instant case. I have personal knowledge of, and am fully familiar with the facts set forth in this Declaration, which I, respectfully, submit in opposition to the Defendants' Second Motion in *Limine*.

2. The purpose of this Declaration is to provide the Court with the specific and relevant documents referenced in Plaintiffs' Response/Objection to the Defendants' Second Motion *in Limine* and Companion Memorandum of Law.

3. Annexed as **Exhibit "1"** is a true and correct copy of the definition of a "Lead Sheet" from Page 459 of the *Harvard Dictionary of Music*.

4. Annexed as **Exhibit "2"** is a true copy of the excerpt entitled "Pop", Grove Music Online, Oxford Music Online—

<https://doiorg.ezproxy.uvm.edu/10.1093/g/mo/9781561592630.article.46845>.


5. Annexed as **Exhibit "3"** is a true copy of the article entitled "Marvin Gaye as

Vocal Composer”. Andrew Flory. In *Sounding Out Pop: Analytical Essays in Popular Music*. Edited by Mark Spicer and John Covach. The University of Michigan Press, 2010, pp. 63-98.

6. Annexed as **Exhibit “4”** is a true copy of the *Billboard Magazine* review of “Thinking Out Loud”.

7. Annexed as **Exhibit “5”** is a true copy of the March 11, 2015 *Spin Magazine* article entitled, “‘Blurred Lines’ Isn’t Even the Biggest Marvin Gaye Ripoff This Decade. Ever Heard Ed Sheeran’s ‘Thinking Out Loud’?”.

Dated: July 22, 2020



PATRICK R. FRANK